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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,426	08/22/2001	David Locket	60097-0027	9478
29989 7590 09/02/2008 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			EXAMINER CHEVALIER, ROBERT	
			ART UNIT	PAPER NUMBER
			2621	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/935,426

**Applicant(s)**

LOCKET ET AL.

**Examiner**

ROBERT CHEVALIER

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20, 22-26 and 29-61 is/are pending in the application.
- 4a) Of the above claim(s) 42-61 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22-24 and 36-41 is/are rejected.
- 7) ☒ Claim(s) 25, 26 and 29-35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-20, 22-24, and 36-41, have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20, 22-24, 36-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Lang et al (P.N. 7,272,298).

Lang et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 1, and 22-24, including the feature of simultaneous storage and playback of multimedia data (See Lang et al's Figure 4, component 580), the feature of acquiring an input signal (See Lang et al's Figure 4, components 410, 420), the feature of the output section wherein the input signal is passed to the output section as a transport stream (See Lang et al's Figure 4, component 400), the feature of the output section including the processor (See Lang et al's Figure 4, components 500, 530), the feature of the decoder that decodes the transport stream, the decoder is connected to the processor by a first data bus (See Lang et al's Figure 4, component

480), the feature of the media switch connected to the decoder by a second data bus, the media switch operative to interface a plurality of system components and operates asynchronously from the processor as specified in the present claims 1, and 22-24. (See Lang et al's Figure 4, components 470, 460, and 428).

With regard to claim 2, the feature of the input section being adapted to accept an analog input signal as specified thereof is present in Lang et al. (See Lang et al's column 8, lines 61-63).

With regard to claim 3, the feature of the input section accepting the analog input signal from any of RF coaxial, composite audio/video or S-video connectors as specified thereof is present in Lang et al. (See Lang et al's Figure 4, components 410, and 420).

With regard to claims 4, 10, it is noted that all the features recited thereof are also present in the cited reference of Lang et al, including the feature of the tuner for selecting a desired channel (See Lang et al's Figure 4, component 412), digitizing the video component and processing audio component and encoding the video/audio components into an MPEG-2 transport stream (See Lang et al's column 9, lines 5-22).

With regard to claims 5, 11, the feature of the memory element recited thereof is present in Lang et al. (See Lang et al's Figure 4, components 560, 580, 590).

With regard to claim 6, the feature of the secondary input comprising any of RF coaxial, composite audio/video or S-video connectors as specified thereof is present in Lang et al. (See Lang et al's Figure 4, components 410, and 420).

With regard to claim 7, the feature of accepting digital satellite input signal as specified thereof is present in Lang et al. (See Lang et al's column 8, line 64).

With regard to claim 8, the feature of the satellite tuner and demodulating the digital satellite signal to an MPEG-2 transport stream as specified thereof would be present in Lang et al. (See Lang et al's Figure 4, components 420, 412, 480).

With regard to claim 9, the feature of accepting input signal in both analog and digital formats as specified thereof is present in Lang et al. (See Lang et al's column 8, lines 61-64).

With regard to claim 12, the feature of the output section comprising a transport interface receiving the transport stream from the input section as specified thereof is present in Lang et al. (See Lang et al's Figure 4, components 570, 580, 590).

With regard to claim 13, the feature of the decoder /graphics subsystem recited thereof is present in Lang et al. (See Lang et al's Figure 4, component 480, and column 6, lines 59-60).

With regard to claim 14, the feature of the decoder/graphics subsystem includes any combination of : host bridge, a memory controller, MPEG-2 transport demultiplexer, MPEG-2 decoder, audio/video decoder, graphics processor, bus bridge or a bust controller, as specified thereof would be present in Lang et al. (See Lang et al's Figure 4, component 400, and column 6, lines 59-60).

With regard to claim 15, the feature of the transport stream interface receiving the transport stream from the input section as specified thereof is present in Lang et al. (See Lang et al's Figure 4, components 570, 580, 590).

With regard to claim 16, the feature of the audio/video streams being stored and played back through an output side of the MPEG transport stream decoder/graphics

subsystem as specified thereof is present in Lang et al. (See Lang et al's Figure 4, components 580, 590, 430, and 440).

With regard to claim 17, the feature of outputting the transport stream to a television, the outputs including any of: S-video, audio;SPDIR (Stereo Paired Digital Interface), CVBS (Composite Video Baseband Signal) as specified thereof is present in Lang et al. (See Lang et al's Figure 4, component 430).

With regard to claim 18, the feature of the smart card interface and at least one smartcard reader interfaced to the MPEG transport stream decode/graphics subsystem as specified thereof is present in Lang et al. (See Lang et al's column 9, lines 5-10).

With regard to claim 19, the feature of the PROM containing boot code that initializes the system prior to loading of an operating system kernel as specified thereof is present in Lang et al. (See Lang et al's Figure 4, component 530).

With regard to claim 20, the feature of the SDRAM connecting to the transport stream decoder/graphics subsystem as specified thereof is present in Lang et al. (See Lang et al's Figure 4, component 560).

With regard to claim 36, the feature of the second bus comprising a system bus as specified thereof is present in Lang et al. (See Lang et al's Figure 4, component 510).

With regard to claims 37-38, the feature of the PCI bus and the USB controller as specified thereof is considered to be present in Lang et al or is considered to be an obvious alternative equivalent, since, Lang et al discloses a system bus including an I/O controller for the purpose of connecting external device thereto. PCI bus and USB

controller is considered to be a notoriously well known to one of ordinary skill in the art. (See Lang et al's Figure 4, components 510, 570, and 590).

With regard to claims 39-41, the feature of the system being implemented as a system board, and the feature of the output section being implemented as plurality of microchips as specified thereof are present in Lang et al. (See Lang et al's column 9, lines 5-22).

4. Claims 25-26, 29-35, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT CHEVALIER whose telephone number is (571)272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ROBERT CHEVALIER/  
Primary Examiner, Art Unit 2621  
August 27, 2008.